IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2834 OF 2006

IN

WRIT PETITION NO. 5180 OF 2006

Jyoti Babu Tungatkar. .. Petitioner.

vs.

Maruti Chandru Sawant. . .. Respondent.

Smt. Indrayani Koparkar i/by Mr. N.P. Deshpande for petitioner.

Mr. Prabhanjan Gujar for Respondent.

CORAM : A.P. DESHPANDE, J.

DATE : 24th November, 2006.

P.C.

. By the present application two-fold prayers are made :- (1) for condonation of delay in filing affidavit in regard to the service and (2) for restoration of the writ petition which came to be dismissed on account of the non-filing of affidavit within the period prescribed by the Court order.

2. For the reasons stated in the application, delay is condoned. In view of the fact that the respondent is already represented by a lawyer, the

objection in regard to the filing of affidavit stands waived and dispensed with. Writ Petition restored to file

(A.P. Deshpande, J.)